

Regular Meeting: Max W. Wells, President, presiding

Present: Max W. Wells, President; Jesse Moreno, Vice President; Celina Barajas, Barbara A. Barbee, Lawrence Hochberg, Sean Johnson, Amy W. Monier, Susan Rader, Marlon Rollins, Raquel A. Rollins, Rodney Schlosser, Paul Sims, Robb P. Stewart, Yolanda F. Williams – 14

Absent: Lawrence S. Jones - 1

President Wells convened the regular meeting at 9:00 a.m. A quorum of the Board was present.

Agenda Item 1. Speakers:

1. Greg Wilkinson regarding Pacific Plaza.

Agenda Item 2. A motion by Barbara Barbee, seconded by Raquel Rollins, for approval of the minutes of the September 1, 2016 Park and Recreation Board Meeting, was carried. The vote was unanimous.

CONSENT AGENDA (ITEMS 3-6)

ADMINISTRATION AND FINANCE COMMITTEE – MISCELLANEOUS

Agenda Item 3. Dallas Park and Recreation Department (All) – A motion by Rodney Schlosser, seconded by Jesse Moreno, to authorize a reimbursement of an amount no greater than \$615,000.00 from the Samuell Park Expendable Trust to the General Fund - Financing: Samuell Park Expendable Trust (\$615,000.00), was carried. The vote was unanimous.

BACKGROUND

In fiscal year 2007-2008, budget reductions were necessary to meet the Department's required Price of Government (POG). To minimize budget reductions, a reimbursement from the Samuell Park Expendable Trust was included in the Department's general fund operating budget. The reimbursement offsets general fund expenses associated with operations, maintenance and improvements at Samuell properties. If the reimbursement is removed from the operating budget, general fund expenses must be reduced by an equal amount.

The fiscal year 2015-16 budget includes a reimbursement to the general fund from the Samuell Park Expendable Trust. This reimbursement is typically taken when the fiscal year is being closed out. Funds in the Samuell Park Expendable Trust are held by the City of Dallas and accrued from interest and dividends paid out from the W.W. Samuell Trust managed by the Bank of America on behalf of the Samuell family as well as fees from facilities located on Samuell properties.

FISCAL INFORMATION

\$615,000.00 - Samuell Park Expendable Trust

Agenda Item 4. Kidd Springs Park (1) – A motion by Rodney Schlosser, seconded by Jesse Moreno, to authorize an alcohol permit request for Amy Cowan, with Go Oak Cliff Go, to serve alcohol at a barbecue cook off event at Kidd Springs Park located at 711 West Canty Street, on Friday, November 11, 2016 at 4:00 p.m. to 11:00 p.m. through Saturday, November 12, 2016 from 8:00 a.m. – 10:00 p.m. - Estimated Revenue: \$1,075, was carried. The vote was unanimous.

BACKGROUND

The Park and Recreation Board has the authority by City Code (Sec.32-11.2(3)) to approve alcohol consumption on park property. Amy Cowan, with Go Oak Cliff Go, is requesting approval to serve alcohol at the Blues, Bandits, BBQ Festival to be held at Kidd Springs (711 West Canty Street) on Friday, November 11 from 4:00 p.m. - 11:00 p.m. and Saturday, November 12, 2016 from 8:00 a.m. – 10:00 p.m. The event will include food, children's activities, local musicians, a 5K Run, and the sale of beer and wine, the estimated attendance is 700. Park Board approval of an alcohol permit is requested for this return event.

The Alcoholic Beverage Permit Conditions document has been given to the event organizers who will be required to meet all of the conditions to include Naming the City of Dallas as an Additional Insured as specified by the City's Risk Management Office and alcohol consumption restricted to a designated enclosed area staffed by Dallas Police.

FISCAL INFORMATION

Event organizers will pay a \$250 alcohol permit fee, \$825 special event fee and a \$450 refundable cleanup deposit. Estimated Revenue is \$1,075.

Agenda Item 5. Jules E. Muchert Army Reserve Center (10) – A motion by Amy Monier, seconded by Lawrence Hochberg, to authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center located at 10031 East Northwest Highway - Not to exceed \$76,445 - Financing: General Obligation Commercial Paper Funds, was carried. Paul Sims voted nay.

WHEREAS, on March 14, 2016, Administrative Action No. 16-5539 authorized award of a professional services contract with Terracon Consultants, Inc. for environmental testing services for the Jules E. Muchert Army Reserve Center located at 10031 East Northwest Highway, in an amount not to exceed \$7,550.

WHEREAS, this action will authorize Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. to provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center, in an amount not to exceed \$76,445, increasing the original contract amount from \$7,550 to \$83,995.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc. provide additional environmental testing services, plans and specifications for the abatement of asbestos containing materials (ACM) and lead-based paint (LBP), including air monitoring, final inspection and close-out report at the former Jules E. Muchert U.S. Army Reserve Center, in an amount not to exceed \$76,445, increasing the original contract amount from \$7,550 to \$83,995.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with Terracon Consultants, Inc., after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$76,445 from General Obligation Commercial Paper Fund, Fund 4T60, Department PKR, Unit P762, Object 4113, Activity AISF, Program PKP762, CT-PKR16019962, Commodity 92500, Vendor 341409.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Agenda Item 6. Trinity Strand Trail Phase II (2,6) – A motion by Amy Monier, seconded by Lawrence Hochberg, to authorize an application for an Urban Outdoor Recreational Grant in the amount of \$1,000,000 from the Texas Parks and Wildlife Department for Development of Trinity Strand Trail Phase II Project from Trinity Strand Trail to Inwood Road – Financing: This action has no cost consideration to the City, was carried. Paul Sims voted nay.

WHEREAS, The United States Congress has passed the Land and Water Conservation Fund Act of 1965 (Public Law 88-578) authorizing the Secretary of the Interior to provide financial assistance to states, and political subdivisions thereof, for outdoor recreation purposes; and

WHEREAS, The Texas Legislature has approved the Park and Wildlife Code, Section 131.309 authorizing the State of Texas, and its political subdivisions, to participate in the Federal program established under said Public Law 88-578, or such other programs as are hereinafter established by the Federal Government; and

WHEREAS, the Texas Legislature has approved the Parks and Wildlife Code, Section 24.005 for the purpose of allowing the political subdivisions of the State of Texas to participate in the Texas Recreation and Parks Account Program; and

WHEREAS, the City of Dallas is fully eligible to receive assistance under these programs; and

WHEREAS, the applicant is desirous of authorizing an official to represent and act for the applicant in dealing with the Texas Parks and Wildlife Department concerning these programs.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City of Dallas, Texas hereby certifies that it is eligible to receive assistance under these programs.

SECTION 2. That the City of Dallas, Texas hereby certifies that the matching share for this application is available through the 2012 Bond Program.

SECTION 3. That the City of Dallas, Texas hereby authorizes and directs the Director of the Park and Recreation Department to represent and act for the City in dealing with the Texas Parks and Wildlife Department and is hereby officially designated as the representative in this regard.

SECTION 4. That the City of Dallas, Texas hereby specifically authorizes the Park and Recreation Department to make application to the Texas Parks and Wildlife Department concerning the site known as the Trinity Strand Trail in the City of Dallas for use as a park site.

SECTION 5. That the City Manager be and is hereby authorized to apply for reimbursable grant funds in the amount of \$1,000,000 from the Texas Parks and Wildlife Department and to execute the grant agreement and any other documents required by the grant.

SECTION 6. That it is the intent of the City Council of the City of Dallas, Texas that all operating funds required for the Trinity Strand Trail Phase II project be appropriated and funded as needed for operating costs.

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ITEM FOR FURTHER CONSIDERATION

Agenda Item 7. Dallas Park and Recreation Department (All) – A motion by Amy Monier, , seconded by Celina Barajas, to authorize a fifteen-year, plus one five-year renewal, concession contract with Elm Fork Clay Sports, Incorporated for management, operation and development of the Elm Fork Shooting Range (shotgun area) located at 10751 Luna Road – Estimated Annual Revenue: \$163,724; and authorize a fifteen-year, plus one five-year renewal, concession contract with Elm Fork Rifle and Pistol, Incorporated for management, operation and development of the Elm Fork Shooting Range (rifle and pistol range area) located at 10751 Luna Road – Estimated Annual Revenue: \$106,276 [This item was deferred by the Board on December 17, 2015; The Board was briefed on January 7, 2016], was carried. The vote was unanimous.

BACKGROUND

The Elm Fork Shooting Range is divided into two components. One area of the range is for rifle and pistol shooting, and the other area is for shotgun. On August 13, 2003, the City, authorized by City Council Resolution No. 03-2166, entered into a ten-year contract with one five-year renewal option with Elm Fork Shooting Park, Incorporated to manage and operate both areas of the shooting range.

On February 11, 2004, a Supplemental Agreement No. 1 was executed to assign the shotgun range area of the shooting park from Elm Fork Shooting Park, Inc. to Elm Fork Clay Sports, Inc. On October 24, 2007, the parties executed Supplemental Agreement No. 2 to assign the rifle and pistol range area of the shooting park from Elm Fork Shooting Park, Inc. to Elm Fork Rifle and Pistol, Inc. Scott Robertson is the President of both entities operating and managing the two shooting ranges. On October 9, 2013, the contract was extended for a period of five years. Its current end date is October 31, 2018.

Over the last eleven years, Mr. Robertson has made significant safety and environmental improvements and financial investments in property and building upgrades and enhancements to both ranges. This has made the Elm Fork Shooting Ranges a destination for outdoor enthusiasts, which has created opportunities for several events to be scheduled throughout the year. He has also worked with various government and law enforcement agencies to provide the ranges as training facilities including law enforcement agencies and the Department of Homeland Security, specifically the FFDO (Federal Flight Deck Officers) and FAMS (Federal Air Marshal Service).

Mr. Robertson is requesting consideration of new contracts in consideration of the primary needs: 1) need to complete repairs to the premises due to flooding in 2015 which will require substantial funds to facilitate needed repairs; 2) ability to secure reasonable financing from the lending source; and 3) complete planned capital improvements which are estimated at around \$2 million dollars including, but not limited to, constructing new clubhouses including office and restaurant space, constructing new picnic areas, new parking and 1.2 miles of concrete trails.

In order to allow time to make these improvements and recoup the required financial investment, approval of new fifteen-year, with one (1) five-year renewal, contracts are being requested.

Proposed Contract Deal Points:

City Obligations:

- City shall maintain the entrance road to the Premises leading to the parking lots of both the Clay and Shotgun Premises and the Rifle and Pistol Premises.
- City shall trim any and all trees necessary to maintain safe entry onto the Premises and shall provide trees for planting as required.
- In the event that operations are forced to close due to unavoidable circumstances for a period of at least 15 days, City shall waive its required commissions for the same number of days as operations were closed beginning on the day that operations can resume.
- City may review any and all services performed by the Concessionaire and shall have the right to audit, at reasonable times and upon reasonable notice, all of the Concessionaire's records and billing relating to the performance of the Agreements.

Concessionaire Obligations:

- Concessionaire shall raise monies to fund improvements to the Premises. Concessionaire shall on a monthly basis pay to the City a percentage of gross receipts in accordance with the proposed table attached.
- Concessionaire will enter into (in its own name) and perform all contracts necessary to fully complete the improvements.
- City shall have no liability for any claims that may arise out of design or construction of the improvements.
- The Director of the Park and Recreation Department, or his designated representative (Director) has the right to review and approve the selection of any design consultants, contractors, and subcontractors used on the improvements.
- Fee simple title to the improvements, when made, shall automatically vest in the City without any further actions by either party.
- Concessionaire shall be responsible for actions and cost associated with the operation, management and maintenance of the improvements.
- Concessionaire shall submit annually an Examination-Level Attestation Report from an independent auditor/accountant, performed in accordance with the attestation standards established by the American institute of Certified Public Accountants
- Concessionaire shall be allowed to host events in which alcohol is sold provided the caterer has provided a valid license from the Texas Alcoholic Beverage Commission, the Premises has been closed to general public for the time of the event, and all firearms owned by both the Concessionaire and private citizens have been locked away and secured.
- Concessionaire has reviewed the City's environmental policy and shall adhere to the policy including being responsible to submit a Lead Reclamation Plan and submittal of document pertaining to that plan.
- Concessionaire will annually submit a full operating budget.
- Concessionaire shall not assign or sublet any part of the Agreements or the concession rights without the express prior written approval of the Director.
- Concessionaire shall not mortgage, pledge, or otherwise encumber its rights and interests under the Agreements to secure financing.
- Concessionaire shall purchase and maintain insurance in accordance with contractual requirements.

FISCAL INFORMATION

Elm Fork Clay Sports, Inc. - Estimated Annual Revenue: \$163,724

Elm Fork Rifle and Pistol, Inc. - Estimated Annual Revenue: \$106,276

NON-ACTION ITEM

Agenda Item 8. Recent Police Activity in the Park System presented by Rick Watson, Deputy Chief, Dallas Police Department.

BRIEFINGS

Agenda Item 9. Smart Growth for Dallas presented by Louise Elam, Interim Assistant Director, Park and Recreation Department and Robert Kent, North Texas Area Director, The Trust for Public Land, Matt Grubisich, Operations Director & Urban Forester, The Texas Trees Foundation, and Lizzie MacWillie, Senior Design Manager, buildingcommunityWORKSHOP.

Agenda Item 11. Dallas Midtown Park presented by Louise Elam, Interim Assistant Director, Park and Recreation Department and Lois Finkelman, Board Member, Dallas Midtown Park Foundation. President Wells announced a recess during the briefing from 10:37 a.m. – 10:45 a.m. President Wells announced a recess during the briefing at 12:00 p.m. and reconvened at 12:31 p.m.

Agenda Item 10. The Trust for Public Land – Dallas Conservation Finance Program Update presented by Willis Winters, Director, Park and Recreation Department and Wendy Muzzy, Feasibility Research Director, The Trust for Public Land.

Agenda Item 12 was deferred. Business Inclusion and Development Program Overview.

WORK SESSION

Agenda Item 13. 2017 Bond Program presented by Louise Elam, Interim Assistant Director, Park and Recreation Department and Survey for Priorities for Park and Recreation Bond Program. Celina Barajas, Lawrence Jones and Marlon Rollins were not present.

Straw Vote Survey Results:

Aquatics Master Plan, Phase II: Strongly Agree

Land Acquisition: Strongly Agree

Match Funding Projects: Strongly Agree

Neighborhood and Community Park Projects: Strongly Agree

Recreation Centers: Strongly Agree

Signature Parks (no match funding): Strongly Agree

Priorities for Match Funding Projects (should receive match funding):

Circuit Trail Conservancy: Strongly Agree

Dallas Arboretum: Agree

Dallas Zoo: Neutral

Midtown Park Foundation: Strongly Agree/Disagree (tie)

Elm Fork Greenbelt Trail and Nature Center: Disagree

Ferguson Road Initiative White Rock Hills Recreation Center: Agree

Friends of the Katy Trail: Strongly Disagree

Northaven Trail Phase I: Strongly Disagree

Parks for Downtown Dallas: Strongly Agree

Trinity Strand Trail: Neutral

White Rock Lake Conservancy Stone Tables: Agree

Klyde Warren Park/Akard Sky Park: Disagree

Should Fair Park be a separate bond proposition: Yes

OTHER/NON-ACTION ITEMS

Agenda Item 14. FY 2016-17 Budget Update, no update.

Agenda Item 15. Trinity River Standing Wave Update, no update.

Agenda Item 16. Committee Reports, no reports.

Agenda Item 17. Park and Recreation Board Members Liaison Reports: Audubon Dallas/Cedar Ridge Preserve, Cultural Affairs Commission, Dallas Arboretum and Botanical Society, Dallas Zoological Society, Downtown Dallas, Inc./Downtown Parks, Friends of Fair Park, The Friends of Katy Trail, Lee Park and Arlington Hall Conservancy, State Fair of Texas, Texas Discovery Gardens, The Trinity Commons Foundation, Trinity River Audubon Center, Turtle Creek Association, The Woodall Rodgers Park Foundation/Klyde Warren Park, no reports.

Agenda Item 18. Staff Announcements – Upcoming Park and Recreation Department Events.

Oscar Carmona: Hamilton Park Pavilion Groundbreaking Ceremony, BioBlitz at Harry Moss Park, Tietze Park Exercise Equipment Ribbon Cutting Ceremony, and It's My Park Day.

Crystal Ross: Teen Tech Center Grand Opening.

Willis Winters: Cedar Crest Golf Course Grand Re-Opening.

Agenda Item 19. President Wells announced the next Park and Recreation Board regular meeting on Thursday, October 20, 2016.

Agenda Item 20. President Wells adjourned the meeting at 1:45 p.m.

Dawna M. Ray, Secretary
Park and Recreation Board

Max W. Wells, President
Park and Recreation Board

NOTE: For more information on discussion of any issue heard during this meeting, refer to the tape recording retained in the Park Department's Central File.